

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TRIMBLE NAVIGATION LIMITED,

Plaintiff(s),

No. C 03-1604 PJH

v.

**ORDER DENYING ADMINISTRATIVE
MOTION AND MOTION TO SEAL;
CONTINUING DATES SUA SPONTE**

RHS INC. et al.,

Defendant(s).

Before the court is plaintiff's administrative motion, filed three weeks before the discovery cutoff date, a date requested by the parties, to extend discovery and other pretrial dates by 30 days. At this juncture in the proceedings, the court is uninterested in trying to unravel all the allegations of wrongdoing asserted by both sides as to how discovery has been conducted. The proper procedure for plaintiff to have followed would have been to bring defendant's misfeasance to the court's attention via a duly noticed motion to compel, when it occurred; not to wait until the end of discovery, add up every arguable wrong committed by defendant and its counsel and lay them before the court as justification for giving it more time. The court finds that plaintiff has not established good cause for the extension of pretrial dates. The motion is DENIED.

However, in view of the court's unavailability on June 13, 2007, the date on which the hearing on dispositive motions is scheduled, the hearing date is **continued to June 27, 2006, at 9:00 a.m.** The parties are further advised that this date is the only date in June or July, except July 25, 2007, that is available for hearing of any dispositive motions that may be filed. In view of this schedule change, the discovery and disclosure dates are also continued two weeks from the dates noted in the September 21, 2006 scheduling order.

1 Additionally, plaintiff's reply brief is STRICKEN as filed in violation of Civ. L.R. 7-
2 11(c). Plaintiff is further admonished that the court insists that parties comply with Civ. L.R.
3 3-4(c)(2), which requires that the text of footnotes conform to the font size requirements of
4 the body of the brief. Any non-conforming footnotes appearing in future filings will be
5 stricken.

6 Plaintiff's motion to file under seal Kirsch Declaration Exhibit D is DENIED, for failure
7 to comply with Civ. L.R. 79-5.

8 **IT IS SO ORDERED.**

9 Dated: March 12, 2007



PHYLLIS J. HAMILTON
United States District Judge